

AMENDED IN SENATE JUNE 24, 2002
AMENDED IN ASSEMBLY APRIL 23, 2002
AMENDED IN ASSEMBLY APRIL 8, 2002

CALIFORNIA LEGISLATURE—2001–02 REGULAR SESSION

ASSEMBLY BILL

No. 2451

**Introduced by Assembly Member Salinas
(Coauthors: Assembly Members Alquist and Diaz)**

February 21, 2002

An act to add Section 26504.5 to the Education Code, relating to state teachers' retirement, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 2451, as amended, Salinas. State teachers' retirement: credit for sick leave.

The Teachers' Retirement Law provides that a person employed to perform creditable service, as defined, on a part-time basis may become a member of the Cash Balance Benefit Program of the State Teachers' Retirement Plan or an alternative retirement plan, if offered by the employer. Existing law prescribes employer contribution rates under the Cash Balance Benefit Program. Employer and employee contributions under that program are deposited in the Teachers' Retirement Fund, a continuously appropriated fund special.

This bill would provide that a part-time ~~employee~~ *adjunct temporary faculty member* of a community college district who retires on or after January 1, 2004, and who is a participant in the Cash Balance Benefit Program, or an alternative retirement plan offered by the district, would receive an additional employer contribution, as specified, on account of

his or her accumulated, unused sick leave at the time of retirement. By increasing employer contributions to the Teachers' Retirement Fund, the bill would make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 26504.5 is added to the Education Code,
2 to read:
3 26504.5. (a) This section shall apply to an ~~employee adjunct~~
4 *temporary faculty member* who is employed by a community
5 college district to perform creditable service for less than 50
6 percent of the full-time equivalent for the position and who is a
7 participant in the Cash Balance Benefit Program or in an
8 alternative retirement plan, offered by the employer, that satisfies
9 the requirements under Section 3121(b)(7)(F) of Title 26 of the
10 United States Code.
11 (b) When an ~~employee adjunct temporary faculty member~~
12 described in subdivision (a) retires on or after January 1, 2004, the
13 employer shall contribute to the employer account in the Cash
14 Balance Benefit Program, or to the appropriate account for the
15 benefit of the ~~employee adjunct temporary faculty member~~ under
16 the alternative retirement plan, in addition to any other employer
17 contributions otherwise required to be made under that program or
18 plan, an amount equal to 4 percent of the following: (1) the total
19 number of hours of accumulated and unused leave of absence for
20 illness or injury for which salary is allowed and to which the
21 ~~employee adjunct temporary faculty member~~ was entitled on his
22 or her final day of employment with the community college
23 district, multiplied by (2) ~~the employee's~~ *his or her* highest rate of
24 hourly pay during the course of that employment.
25 (c) No contributions may be made under this section if the
26 ~~employee adjunct temporary faculty member~~ is otherwise entitled
27 to receive payment for accumulated and unused leave of absence
28 for illness or injury upon termination of service.

O

